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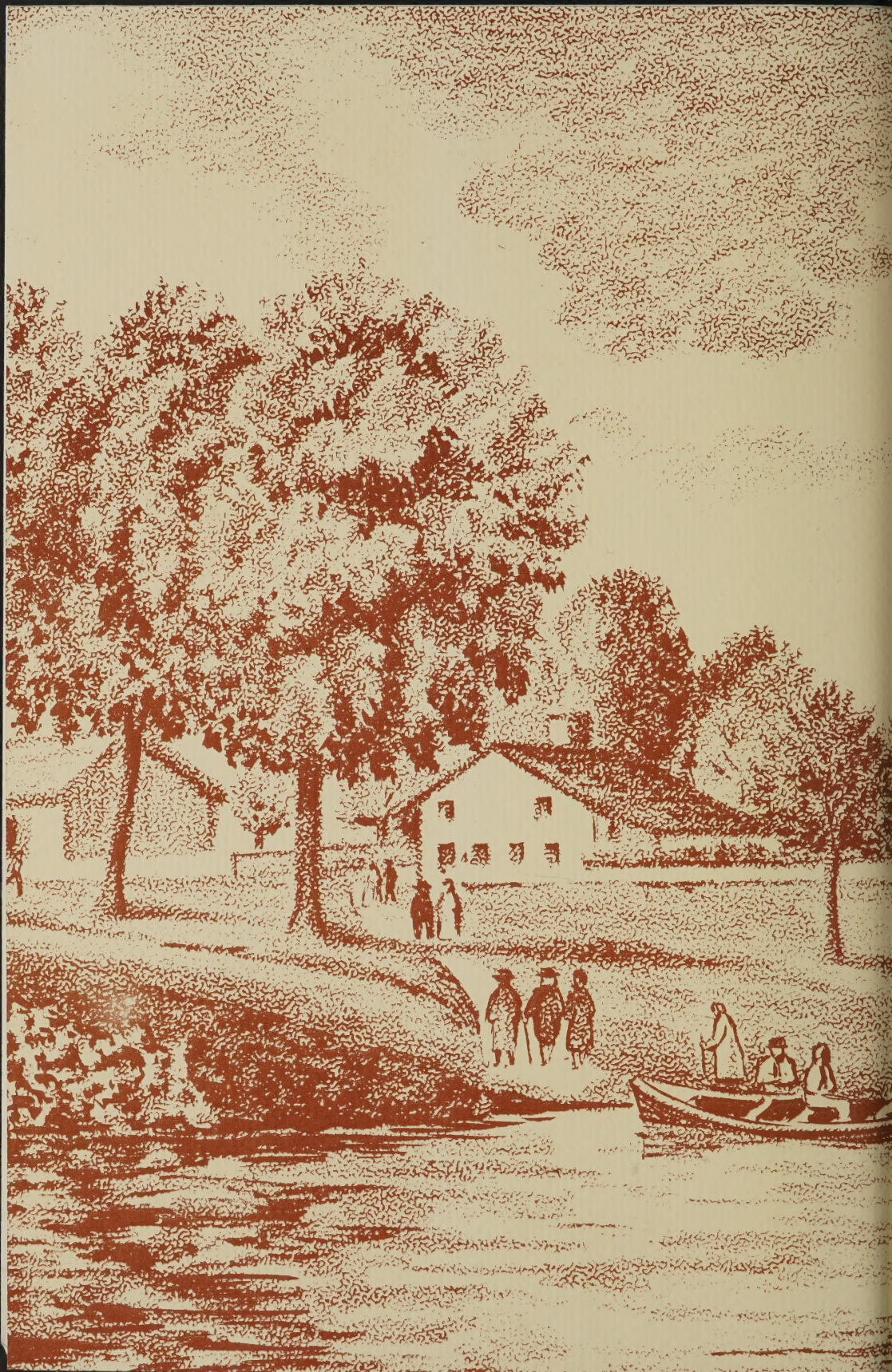


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THE FIRST HUNDRED YEARS OF DELAWARE COUNTY

BY

DR. WILLIAM E. SAWYER

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THE FIRST HUNDRED YEARS
OF DELAWARE COUNTY

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DR. WILLIAM E. BAKER

Associate Professor of History
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DEDICATION

To the committee in charge of the anniversary I respectfully dedicate this brochure. May their efforts in behalf of the community be rewarded in such a spiritual way that the name of William Penn will always be associated with the highest ideals and the noblest motives in Delaware County.

WILLIAM E. SAWYER

DEDICATION

To the committee to which I am indebted for the opportunity to participate in this work, and to the many friends who have encouraged me in this endeavor, I dedicate this book. I hope it will be found of some use to the many who are interested in the history of the United States.

WILLIAM F. BAKER

P R E F A C E

The Commonwealth of Pennsylvania was born in what is now Delaware County. In this brochure, I shall attempt to describe the saga of the early Swedes and Finns, their trials and tribulations and ultimate conquest by the Dutch and the eventual contributions of William Penn and his colleagues. It is a thrilling record of military, political, economic, social and religious experiences. I hope that my labors will serve a useful purpose.

This work would not have been possible without the assistance of the curator and council of the Delaware County Historical Society, Swarthmore College Library, the Friends Library, and Pennsylvania Military College Library. Through their courtesy I have been able to consult many books relative to the history of Delaware County a few of which are: Colonial Records, Fernow's Documents, Pennsylvania Archives, Johnson's Swedish Settlements, Smith's History of Delaware County, Hazard's Annals, Martin's History of Chester, Proud's Pennsylvania, Ashmead's History of Delaware County, Jenkins' Pennsylvania, Ashmead and Johnson's History of Chester, Paxson's Where Pennsylvania History Began, Dunnaway's Pennsylvania, Armstrong's Record of the Court at Upland, Record of the Courts of Chester County, Stevens' Pennsylvania, and Myers' Narratives.

Last but not least, I wish to thank Mr. Enar Ahlstrom, Mr. Wilbur C. Kriebel and our Chamber of Commerce for the actual publication of my efforts.

W.E.S.



TINICUM ISLAND UNDER THE SWEDES, 1643-1655

It is our boast that the first permanent colonization of Europeans in Pennsylvania was made in Delaware County, and certainly the first settlement, of which we have any authentic record was on Tinicum Island, now Essington and Lester. The man responsible for the foundation of that portion of New Sweden was John Printz. He was well-educated for the army in Sweden, where in 1638 he was promoted to the rank of lieutenant-colonel in the West Gotha cavalry.

Two years later, however, misfortune befell him when he disgracefully surrendered the Swedish fortress at Chemnitz in Germany and returned to Stockholm without the consent of his field marshal. He was thereupon arrested, tried, and broken of his rank in the army. His degradation was not to be permanent. For on August 15, 1642, he was commissioned governor of New Sweden, the area now known as Delaware Valley, U.S.A.

Instructions to Governor Printz, given to him on the same day as his new commission, asked him to see that no injustice is done to the Indians, and that in order to secure their trade and good will, he should furnish them with the things they require at lower prices than those they might receive from the Dutch or from the English. Trade in peltries was to be supported as were the manufacture of salt, the culture of the grape, and the development of silk worms. Minerals were to be looked for. Fishing was to be investigated as to profit. The people were to give themselves zealously to agriculture in order to raise enough grain to support themselves. After that, they were to think about cultivating tobacco. As much as possible, they were to direct their attention to sheep-raising, so that a considerable portion of good wool might be sent to the mother country.

Thus equipped with specific instructions, John Printz left Gothenburg, Sweden, on November 1, 1642, in charge of two ships the *Swan* and the *Renown*. Among others, he brought with him to the Delaware Valley, his wife and one daughter and probably other members of his family, a lieutenant-governor, a secretary, a chaplain, a surgeon (barber), besides

twenty-four regular soldiers with officers sufficient for a much larger force. These, with an ample supply of military provisions for the garrison and a large stock of goods suitable for Indian trade, would leave little space for actual settlers and their belongings.

His instructions required that the Delaware River be "commanded." For this purpose, the position of Fort Christina (Wilmington) which he reached on February 15, 1643, at once determined its inadequacy. The bold shore of the island of Tinicum (Essington) then extending further into the river than it now does, was wisely selected as the site of a new fort. Its position would enable Printz to control the river; its proximity to the Dutch Fort Nassau (Gloucester, N. J.) would facilitate control of a potential enemy; and its insular position would make it relatively secure from Indian attack. Printz called his new garrison at Tinicum "New Gothenburg."

"New Gothenburg" (Essington) controlled the passage of the river above Tinicum (Essington). And when Printz, shortly afterward, built Fort Elfsborg (Elsingborg) at Salem Creek (New Jersey), placing therein eight brass and iron twelve pound cannon, manned by a dozen soldiers commanded by a lieutenant, he supervised the entire Delaware River.

Shortly after his arrival at Tinicum (Essington), the Swedish governor built a mansion which he called Printz Hall in his own honor. In the autumn of 1643, a Dutch expedition visited him. This expedition was led by a man named De Vries; who says in his journal, "we went to the governor, who welcomed us. He was named Printz, and a man of brave size, who weighed over four hundred pounds."

Excessive physical weight did not seem to impair the governor's leadership. Within a few months after his arrival, John Printz supervised the erection of a grist mill on Cobbs Creek. It was to be the first mill of any kind to be seen in Pennsylvania. Printz was much pleased with the mill. He referred to it as running "the whole year, to the great advantage of the country."

Despite the importance of the grist mill in the economy of the area, most people were concerned with the raising of

tobacco, which was the leading crop in the colony. To stimulate the growing of even more tobacco, persons who cultivated land were exempted from taxation by the home government for ten years.

The administration of the affairs of the area under Governor Printz must have been exceedingly gratifying to the crown of Sweden. For in less than nine months after he landed on the Delaware, Queen Christina of Sweden, on November 6, 1643, made a grant to him of the entire island of Tinicum: "On account of the long and faithful services which the lieutenant colonel and governor of New Sweden, our very beloved John Printz has rendered to the Crown of Sweden."

Honors, however, do not preclude hardships. The year 1643 was a difficult one in the history of Tinicum (Essington). The little colony was stricken by disease. No less than nineteen of the male population, a very large proportion, died within a few months. Shortly afterward, Indian troubles threatened. The shocking cruelties of the Dutch governor at Manhattan, in which hundreds of natives were slain, disturbed the Indians along the Atlantic coast.

A Swedish woman and her English husband were killed somewhere between Tinicum (Essington) and Upland (Chester). This was the first white blood shed in Pennsylvania by the Indians. Printz assembled his people for defense at Upland (Chester). The Indian chiefs of the region came forth, disowned the act and prayed for peace. A treaty was signed, presents were distributed, and friendships were restored.

No sooner did the Indian menace subside than there was a tragedy at the fort in Tinicum (Essington). On November 25, 1645, Swen Wass, a gunner, fell asleep at his post, and a candle which he had left burning set fire to the structure. Within a short time, all was burned. Printz regarded the act as a crime. He informed the home government that he had caused the "incendiary" to be tried, and that Wass had been convicted and sentenced, and that he had remanded him to Sweden in irons, that the verdict might be carried out.

There were other criminals at Tinicum (Essington). They

were kept in bondage and they were employed in digging trenches, and in erecting fortifications. The citizens had nothing to do with them, and a particular spot was set aside for them. According to the original instructions, great offenders might be punished with imprisonment and even with death, but not otherwise than according to the legal forms, and after having sufficiently "considered the affair with the most noted persons such as the most prudent assessors of justice that can be consulted in the country."

Printz felt himself disqualified for the performance of the duties of a judge. In a dispatch to the Swedish West India Company dated February 20, 1647, he made known his difficulty: "I have several times solicited to obtain a learned and able man. First, to administer justice and attend to the law business, sometimes very intricate cases occurring, in which it is difficult, and ought never to be for one and the same person to appear in court as plaintiff as well as judge."

At the same time, he asked for instructions from the home authorities as to "how long the criminals must serve for their crimes." He was told that nothing definite could be prescribed respecting that matter. It was left to his discretion. Those who reformed and did their work satisfactorily were to be allowed the same wages as free laborers. "But those who go on in the same wrong way as before and do not exhibit any improvement may have their punishment increased by you, Sir Governor, or may continue to serve without wages."

There were many troubles. The winter of 1645 was bitter cold. The river and the creeks were frozen over. No ships could get in or out. Printz himself wrote, "the sharpness of winter lasted until the middle of March; so that, if some rye and corn had not been unthreshed, I, myself, and the people with me on the island, would have starved to death. But God maintained us with the small quantity of provisions until the new harvest."

As if these tribulations were not sufficient, the Dutch began to threaten New Sweden. On September 8, 1646, they started a colony on the Schuylkill River. Governor Printz heard about the project and told his son-in-law that direct

action must be taken to drive them out. Thereupon, young Lieutenant Papegoja went from Tinicum (Essington) with his men and pulled down the Dutch buildings and burned the timbers. Papegoja then told the Dutch that if he saw them there again, he would give them a good thrashing.

A Dutch delegation went to Tinicum (Essington) to protest. Before he would allow them to see the governor, Papegoja kept the Dutchmen standing in the rain for half an hour. After being admitted to an audience with Governor Printz, they delivered their solemn indictment against him for his illegal possession of the Schuylkill River area. Printz not only cursed the Dutch, but he proceeded to take revenge.

Immediately thereafter, he erected a blockhouse, about thirty feet long and twenty feet wide, directly in front of the Dutch Fort Beversrede on the Schuylkill River. The purpose of this action was to confuse all Dutch sea captains who would cast anchor in the area. The Swedish fort would hide the Dutch fort. Alexander Boyer, who had charge of the interests of the Dutch here at the time, very properly regarded the building of the Swedish fort by Governor Printz as intended more to insult his "lords and masters (the Dutch) than to reap for himself any advantage from it."

In 1651, the Dutch built a fort at what is now New Castle. They called it Fort Casimir. Governor Printz was angry. But he appears afterwards to have been reconciled to the fact. Before Dutch Governor Stuyvesant took his departure from this vicinity, he wrote that "he had divers verbal conferences with Johan Printz, the Swedish Governor, and they mutually promised not to commit any hostile or vexatious acts against one another, but to maintain together all neighborly friendship and correspondence, as good friends and allies are bound to do."

The original instructions had ordered Printz to be kind to the Dutch colonists at Fort Christina (Wilmington). They were to be permitted to exercise the reformed religion of their choice. All others were to be subject to the Augsburg Confession and the ceremonies of the Swedish Lutheran Church. Printz had had a church built at Tinicum (Essington) as soon as possible. It was a small log structure, which the governor

reported he had adorned "according to our Swedish fashion, so far as our limited means would allow." It had been appropriately consecrated for "divine services" by the Rev. John Campanius on September 4, 1646. This was the first house of Christian worship within the limits of present day Pennsylvania.

The Tinicum (Essington) Church was not only the centralized house of worship "to which they came in canoes from New Castle and other places along the Delaware, but above and below the island"; but the little log sanctuary was the headquarters of our first white missionary to the Indians. The Rev. John Campanius earnestly endeavored to instruct the Indians in the tenets of the church. To aid himself in christianizing the savages, he made a careful study of their language. He mastered it sufficiently to translate the Lutheran catechism into the dialect of the local Lenni Lenape family of the great Algonquin tribe. He was the first person to translate a book into the Indian language, as well as being our first missionary to the Red Men.

Governor Printz grew weary and in 1653 he returned to Europe. Within a few months, the Swedish ship *Eagle* bombarded Dutch Fort Casimir (New Castle). It had on board John Claudius Risingh, who was to be the next governor of New Sweden. Although Risingh was very cruel to the Dutch in what is now Delaware, he had great success in his negotiations with the Indians at Tinicum (Essington).

But the Indians could not save him in his great hour of crisis. The year 1655 saw the Dutch on the rampage all along the Delaware River. If the official report of Risingh is to be accepted, the Dutch "killed cattle, goats, swine and poultry, broke open houses, pillaged the people of their property, plundered many and stripped them to the skin. At New Gothenburg (Essington) they robbed Mr. Papegoja's wife of all she had, with others, who had collected their property there." At Fort Christina (Wilmington) "women were violently torn from their houses, whole buildings destroyed." He continues that "the whole country was left so desolate that scarce any means are remaining for the subsistence of the inhabitants."

All of the Swedish provinces along the Delaware fell to the Dutch. By the terms of the capitulation at Fort Christina (Wilmington), all of the Swedes who desired to remain in the country, were obliged to take an oath of allegiance to the States General of the United Netherlands. Thus ended Swedish sovereignty on the continent of North America.

Among the Swedish contributions to American civilization which we find in the history of early Tinicum (Essington) are the following—1. kindness to the Indians which paved the way for English colonization under William Penn: 2. personal courage which established a precedent for the true American spirit: 3. justice before courts of law which facilitated later Anglo-Saxon jurisprudence: 4. religious liberty which was unique in the history of the world.

The Swedish colony at Tinicum (Essington) to which so many hopes and endeavors had been given, was to have a life-time of less than fifteen years. And yet it was the actual beginning of the settlement of white men between the Brandywine River and the Schuylkill River. Out of this venture was to come the nucleus of what is now the Commonwealth of Pennsylvania.



OLD COURT HOUSE

GOVERNOR PRINTZ'S DAUGHTER AND THE END OF THE TINICUM COLONY

After New Sweden had been conquered by the Netherlands in 1655, the Swedish Governor John Risingh wrote that the Dutch forces "at New Gothenburg" (Tinicum) had "robbed Mr. Papegoja's wife (Armegot Printz) of all she had." About a year later, she petitioned that letters patent should be issued to her for her father's land at "Printz Torp" (Chester) and at "Tinnakunk" (Tinicum). On August 3, 1656, she again begged for her lands when she wrote to the Dutch leaders in New Amsterdam (New York): "Now since three years being abandoned, was again covered with bushes, and the dwelling-house nearly destroyed by the Indians, and so I have been obliged to repair it, by three Finns . . . be pleased to grant me, for my security, letters patent for Tinnakunk" (Tinicum).

Dutch Governor Stuyvesant and his council, in response, accorded her permission, pursuant to the terms of the Swedish Capitulation, "to take possession and cultivate the lands of her Lord and Father at Printz Torp" (Chester). Nothing was said as to Tinicum (Essington), but Armegot continued to occupy the lands there. We learn from a letter from Dutch Vice-Director William Beekman, dated May 12, 1660, that Miss Printz requests that she may deliver here, for her taxes, a fat ox, fat pigs, and bread and corn."

Beekman also tells why she did not leave Tinicum (Essington): "the heavy building not permitting her to change it, and the church where she usually worships being upon that spot." He reported that "she offers her lands without any compensation, but can induce no person to settle in her neighborhood."

On May 29, 1662, however, she sold her property to one Joost De La Grange who purchased the estate at Tinicum (Essington) "together with the housing and stock thereupon, for the sum of six thousand guilders, Holland Money." One half was to be paid in cash, two thousand when she reached Holland, and the remaining thousand in one year thereafter. De La Grange immediately took possession of the estate, and Armegot sailed for Europe, arriving in Holland on July 31.

The bill of exchange was presented and payment was refused. The energetic woman must have taken passage for her colony in the first vessel sailing for the New World. For in November, she had obtained a legal judgment against De La Grange, for which final decree the defendant entered an appeal.

Governor Printz died in 1663, and a fresh difficulty was thrown in the way of Armegot's collecting the money. Her three sisters in Sweden objected to the payment of the 3,000 guilders still due from the purchaser until a new power of attorney had been executed by them. In the meantime, Armegot erected a house at Printz Torp (Chester).

To add to her discomfiture in prosecuting the suit Joost De La Grange had set out for Holland in order to collect the money due him there, so that he might pay Armegot the balance. But on the way over, he became ill and died leaving a widow and a minor son. His widow, Margaret, remained in possession of the Tinicum (Essington) property. Soon afterwards (1664), the English conquered Delaware Valley, and accompanying their forces was Andrew Carr, who subsequently married the widow.

Apparently to forestall any action Armegot might take to get Tinicum (Essington), on October 1, 1669, the English Governor Lovelace at New York was induced to issue a patent to "Andrew Carr and Margaret, his wife, formerly the wife of Joost De La Grange deceased, to conform to them a certain island in Delaware river" (Tinicum). After this patent was granted, Andrew and his wife resided at Tinicum (Essington) for some time without any proceeding being instituted against them. Then one day Margaret fell heir to an estate in Holland and they all went to Europe to claim the inheritance.

Captain John Carr was left in charge at Tinicum (Essington), as the attorney for his brother. Within a short time after the departure of Andrew and his family, Armegot Papegoja brought suit for the recovery of the island. Armegot summoned Captain John Carr before a special court held at New Castle by Governor Lovelace. And there, by consent, the case was removed to the General Court of Assizes held at New York in October, 1672. The case began on Wednesday after-

noon, October 12 and continued until Friday afternoon, October 14, when on the verdict of the jury, judgment was entered for the plaintiff.

The following March 22, Armegot sold Tinicum (Essington) to Otto Ernest Cock for 1,500 guilders, as the property was "very much decayed and worn out." Armegot also gave a power of attorney to the purchaser to receive possession of the estate from the sheriff.

In 1678, Arnold De La Grange, Joost's son and heir, who had gone abroad with his mother and stepfather, being now of age, came to the province, and went directly to Tinicum Island to claim it for himself. In the meantime, he sent a lengthy petition to Governor Andros in New York. Arnold told the story of the sale to his father, of the suit instituted against John Carr during his stepfather's absence in Europe, of the misnomer of Priscilla instead of Margaret in the title of the suit. He maintained that the judgment had been defective because it had been rendered against a man beyond the seas, against a married woman, and had affected the vested right of a minor who had not been represented in the case.

Arnold De La Grange asked Governor Andros to assist him either by a hearing in equity or an order requiring Cock to refund the sum paid by his father. Nothing seems to have been done with the petition. But Arnold began an action against Cock at the Upland (Chester) Court on June 14, 1681. The case was settled two years later. The plaintiff having acquired possession of the estate sold it in 1684 to Christopher Taylor, who was then subject to the jurisdiction of William Penn.

Meantime, Armegot Printz was having a hard time. On August 23, 1672, she wrote that she lived alone and had only one servant. She petitioned Governor Lovelace that she would like to have her servant exempted from military service and that she would like a license to "distill in her own Distilling-Kettle some small Quantitys of Liquors for her own use." The English Governor replied, "I have thought good to grant the request of said Jeuffro (Armegot) Papegoja (Printz), both as to the excuse of her servant's being at trainings (extraordinary ones, upon occasion of an enemy or invasion excepted), and likewise that she have license to make use of her

distilling-kettle, as is desired, provided it be done with such moderation that no just complaint do arise thereby, to continue one year."

The colony at Tinicum (Essington) had once been the center of Swedish activity; but as time went on, it became less and less significant. On November 21, 1679, two Dutchmen visited the settlement and recorded their impressions of the former citadel: "The southwest point, which only has been and is still cultivated, is barren, scraggy, and sandy, growing plenty of wild onions, a weed not easily eradicated. On this point three or four houses are standing built by the Swedes, a little Lutheran church made of logs, and the remains of the large blockhouse, which served them in place of a fortress, with the ruins of some log huts. This is the whole of the manor."

Thus the island of Tinicum had been transformed from the capital of New Sweden to a bleak deserted village—all within half a century.

THE EARLIEST PIONEERS IN CHESTER

Chester is the oldest city in Pennsylvania, and it has grown to maturity under four flags—those of the Netherlands, Sweden, Great Britain and the United States. Although the Dutch were the first to land here, and although they exercised undisputed sway along the Delaware River until the coming of the Swedes; for many years they did not have any permanent settlement in our region.

During the first half of the seventeenth century, the Dutch carried on explorations along our river, established a few trading posts, and made some land purchases from the Indians. Thus by exploration, occupation, and settlement, the Dutch acquired what they considered a valid claim to our territory.

Campanius, the pioneer Swedish historian, says that there were homes in Chester around 1645. The date of the first settlement of Chester is rendered more certain from the fact that during that same year, when Andreas Hudde, the Dutch Commissary on the Delaware, made his examination of the river, he found scattered farms in the same area. Campanius has said, "there was a fort built there some time after its settlement." But since no mention is made by any other chronicler of a military establishment at this location, it is probable that "fort" in this case must be understood to mean a "strong house" or place of security in case of a sudden attack by the Indians. Its name at that time was Upland, so called by the Swedes after a province in Sweden.

Around 1648, there must have been a settlement here, for in Hudde's interview with the Passyunk Indians in that year, they spoke of Upland (Chester) as being in the possession of the "thieving" Swedes. During that same year, Campanius again spoke of the community "as an unfortified place, but some houses were built there."

By reason of wider extent and more lasting occupation, the Swedish settlements on the Delaware were of much greater consequence than those of the Dutch. While the Dutch came as traders and hardly touched Pennsylvania, the Swedes came as settlers and established colonies, in which the inhabitants took roots and became thoroughly acclimatized. Thus the

history of exploration in Pennsylvania begins with the Dutch, but the history of settlement in our state commences with the Swedes, who were the real pioneers in Chester.

The land along the west bank of Chester Creek, extending down the Delaware River as far as Marcus Hook was granted by Queen Christina of Sweden on August 20, 1653, to Captain John Amundson Besk, "his wife and heirs," in consideration of faithful services rendered to Sweden. Besk, who is believed to have been a man of wealth, never took possession of this vast tract of ground. It was also denied to his family.

Meanwhile, Governor Printz confiscated the best farm in the area from a colonist known as "Lasse the Finn." The latter was accused of witchery and failure to pay debts. Thereafter the land was known as "Printz Torp." In a letter from the Dutch Vice-Director Beekman, on September 19, 1662, he writes, "I inquired into the situation of a certain lot of land on the Southwest side of Upland Kill (Chester Creek) and was informed by the Swedish Commissaries and other ancient inhabitants of said nation that the aforesaid is called Printz's village."

Printz Torp (Chester) was confirmed to the Swedish governor's daughter, Armegot, under the name Ufro Papegoja on June 18, 1668. The following is a contemporary description of the property: "A parcel of cleared land situate on the west side of the Delaware River between two creeks, the one called Upland (Chester Creek) and the other LeMokey's Creek (Lamokin River) including all the land being between the two said creeks." This was part of the area called "Finland" because of the many Finnish farmers who had settled there.

At first, the land east of Chester Creek was a tobacco farm, occupied by servants in the employment of the Swedish Company. After a while, the ground between Chester Creek and Ridley Creek was granted to a Swede by the name of Joran Kyn (Keen). Keen, whose descendants have glorified the pages of Pennsylvania history, was a soldier. His duty was to attend daily upon Governor Printz as bodyguard. It is believed that when Printz left the colony to return to Sweden, that Keen resigned his military position and thereafter gave his undivided attention to agriculture.

Meanwhile, the colony needed real farmers. The place to find them was in the Finnish sections of Sweden. Hundreds of Finns were constantly in trouble in Sweden. Desertion was among the crimes considered in terms of banishment to New Sweden. In 1639, the Swedish Royal Government wrote to one of its governors: "The company's ship, which in June last, returned from New Sweden to Gothenburg, shall again immediately go back there, and we have deemed it advisable to permit the married soldiers and others who from your province . . . without delay can be gathered, who have either desired or otherwise forfeited their lives, to be sent on the ship to New Sweden with their wives and children. For this we present them with their lives as well as give to each soldier a suit and ten dollars in copper. In return for this voyage, they will be pardoned and be free to return to their homes after one or two years."

The Finns in Sweden had the bad habit of burning the forests and sowing seeds in the ashes. One governor proposed that something more drastic than money fines should be inflicted, since the Finns seemed to care little about fines. On July 30, 1640, the Swedish Royal Government replied: "You may prevail upon them to go with their wives and children to New Sweden. You will do us a great service if you could manage to get these families there." Some Finnish families even applied for permission to go to New Sweden rather than serve sentences and lose their lands.

Even destruction of public property was involved here. On April 13, 1641, the Swedish Royal Government wrote to one of its governors to allow a trooper by the name of Mans Mansson, who had destroyed some fruit trees at the royal estate of Varnheim, to choose between being hanged or going to New Sweden with his wife and children. He was to be allowed to return home after six years.

Swedish provincial governors were instructed to apprehend lawbreakers of all kinds and to send them and their families to the Delaware. Hundreds of such people were rounded up and sent to New Sweden. Between the years 1638 and 1655 something like one-half the inhabitants in this area were Finnish criminals who had run afoul of the law in Sweden.

Most of the people of New Sweden were of the peasant class. They were crude, strong, hardy tillers of the soil, physically well fitted to withstand the hardships of the voyage and to endure the toil of subduing a wilderness and creating for themselves a congenial environment. William Penn describes those who were here when he came as "a plain strong industrious people . . . they have fine children and almost every house full. I see few young men more sober and industrious."

However, it was not easy to start a new life along the Delaware. The first settlers probably were forced to content themselves with rude abodes dug in the ground, with the roof covered with sod, or to have recourse to simple dwellings of the wigwam type. Later, the one room log-cabin made its appearance here for the first time in American history. Two Dutchmen traveling in this area in 1679 wrote concerning the Swedish log cabin: "The houses . . . being made according to the Swedish mode . . . are block-houses, being nothing else than entire trees, split through the middle or squared out of the rough, and placed in the form of a square upon each other, as high as they wish to have the house; the ends of these timbers are let into each other, about a foot from the ends, half of one into half of the other. The whole structure is thus made without a nail or a spike. The doors are wide enough but very low, so that you have to stoop on entering. These houses are quite warm; but the chimney is placed in a corner. My comrade and myself had some deer skins spread upon the floor to lie on . . ." Many people had merely a heap of straw for beds.

These log cabins had no glass windows. The windows were merely small openings closed against the weather by slide-boards. A crude table built against the wall and sections of logs for stools completed the furnishings of these primitive dwellings. For light, tallow candles were used. Frequently, splints of resinous pine about three feet long were stuck into crevices between the logs or into iron "stick-holders" and ignited. Such a splint would burn for several minutes and yield about equal amounts of smoke and flame.

The household utensils, including plates, cups, spoons, and bowls, were mostly of wood; but iron and tin pots, cups of tin and horn, home crockery-ware and iron knives were imported. Forks were unknown. For meat they had venison and fish in plenty, pork from their imported swine that ran wild and prospered in the forests, and beef in increasing quantity as their first few cattle grew in numbers. There were also wild turkeys and other game birds in profusion. They soon learned to use maize and came largely to rely on it for bread, baked Indian style in the ashes.

These people were fanatically clean. Their bath-houses were small windowless cabins with fireplaces, in which very hot fires induced a temperature of 150 degrees Fahrenheit. In this hot atmosphere, it was customary for family groups with invited friends to remain stark naked for half an hour, beating their bare flesh with tree boughs. Then they would emerge red-skinned into an outside temperature, perhaps near zero. If it were winter, they would roll themselves in snow; or if it were summer, they would plunge into a cold stream. Thus a "Finnish bath" was at once a hygienic exercise, a social function, and a valorous deed.

Despite salubrious living conditions, the government of Sweden under John Printz was despicable. By 1653, political life in the colony was unbearable. Many Finns and Swedes were deserting to the English colonies of Maryland and Virginia, where they were heartily welcomed and protected. In the summer, the situation reached a crisis and mutiny was imminent. On July 27, a written supplication signed by twenty-two colonists was presented to Governor Printz at Tinicum (Essington). In it, they said that they were at no time secure as to life and property. They complained that they were prohibited from trading with both Indians and white men, although the governor never failed to grasp an opportunity to trade with anyone. They also censured him for brutality and avarice.

Furthermore, they accused him of preventing them from grinding their flour at the mill, the use of the creeks for fishing, and the chance to make a living. On account of these troubles, they said, they were compelled to send two men to

Sweden in order to ascertain what they should do. Their petition enraged the governor and the man who presented it was arrested and executed on August 1, 1653.

Political dictatorship was aggravated by economic strangulation. The New Sweden Company's monopolistic trade privileges limited opportunities within the colony, and prevented all settlements along the Delaware from expanding. By 1655, only 700 acres represented the total amount of cleared land in all of New Sweden. At that time, no land was clearly owned by individual farmers. Seventeen years of pioneering had thus produced results which were exceedingly modest.

Then came the Dutch who conquered the Delaware Valley in 1655. One armed vessel was sent to the New World from Holland with 200 soldiers on board. It reached New Amsterdam (New York City) in August. Governor Stuyvesant obtained the services of six other vessels then in his harbor, and after prayer and fasting set sail for Delaware Bay. The Swedish Governor Risingh learned of the Dutch plans through the Indians, although Stuyvesant had hoped to surprise the Swedes. On September 6, the alien prow of the Dutch Armada clove the peaceful waters of our river, which by every right to be derived from occupation of its shores and repeated purchases from Indians, was sacred to the Swedes. But New Sweden now became a part of New Netherland through conquest.

The Articles of Capitulation proved that those Swedes who desired to return to the home country would be transported free of charge. Those who wished to remain could do so upon swearing allegiance to the Dutch Government. The Swedes were permitted to keep their property and to maintain their customary religious observances. In view of these liberal terms, all except thirty-seven of the Swedish settlers elected to remain. The settlers, who chose to stay, swore allegiance to the Dutch and returned to their farms. The others, including Governor Risingh and his soldiers, embarked on the Dutch ships, and on October 11, 1655, the fleet set sail. Thus ended New Sweden on the Delaware.

The Dutch divided the western shore of the Delaware

into three large judicial districts, the most northern of which was centered at Upland (Chester). This division was recognized and continued by the English. The Dutch Vice-Director was enjoined to strictly observe the ordinances against the sale of strong drinks to the savages, against robbery and against profanation of the Sabbath.

Misfortunes began to prevail. The Dutch colonists made little progress in agriculture and their crops were small. In two seasons, there were alternations of severe drought and excessive rain. In the summer and autumn of 1658, a general sickness prevailed. The "barber-surgeon" died, and also Christian Barents, who had come to erect a much needed grist-mill. The colony was in "great distress for bread and corn." In the midst of these troubles, a ship arrived from Holland, bringing no supplies but a hundred people, many of whom were sick.

Just before the winter of 1658-1659, the colony sent a ship to Manhattan for food; and it was caught in the ice. A yacht that had been sent to our area by Governor Stuyvesant had a skipper who stole the vessel laden with pork, beef, and corn.

Meanwhile, the winter set in early and continued long, causing "great distress." The excessive rains in the autumn "prevented the collection of fodder for the creatures," and the prevalent fever "curbed us down," says a letter to Stuyvesant, "so that all the labor in the field was abandoned." "From the first," it adds, "of the few Netherlands settlers who actually lived here at our arrival, scarce one has obtained during our residence one bushel of grain. . . ."

In need of laborers, indentured servants were obtained by the colonists from Holland. Children from the almshouses at Amsterdam were sent over to the Delaware River settlements. They were bound out among the residents here, the eldest for two, the major portion for three, and the youngest children for four years. One man suggested that from time to time more of these young people should be sent over, "but, if possible, none ought to come less than fifteen years of age and somewhat strong, as little profit is to be expected here without labor."

On December 23, 1663, the Dutch leader in this area wrote to Governor Stuyvesant at Manhattan that the fifty laborers who had arrived in the ship *St. Jacob* during June of that year had been hired out to farmers along the Delaware and that six or seven girls had been sent over on the same vessel, and that they were now cooking and washing for the emigrants here.

Generally speaking, however, the Dutch were not good settlers. They were primarily tradesmen. With forests full of timber all around them, they sent all the way to Ft. Orange (Albany) for boards. With inexhaustible clay close by, they repeatedly sent to the same place for bricks until 1659, when Cornelis Herperts de Jager established a brick kiln in this valley.

The period of Dutch rule on the Delaware not only was brief; it also was largely barren of results. Trade did not flourish, immigration was slight, and progress was almost entirely due to the efforts of the Swedes. To arouse a sufficiently widespread desire to emigrate, many causes have to operate in successfully colonizing countries. There must be overcrowded populations or exhaustion of natural resources or governmental oppression or religious persecution or the desire for betterment of conditions or an eagerness for change or an inborn spirit of adventure. Not one of these causes was operative in The Netherlands during the seventeenth century.

Governor Stuyvesant, in a letter written in September, 1659, to the Dutch West India Company at Amsterdam, asserted the probability that England would soon conquer the Delaware Valley with the aid of the Swedes. Five years later, his prophecy came true. In May, 1664, Colonel Richard Nicholls and Sir Robert Carr, with others, were commissioned by England to conquer all of New Netherland for the Duke of York. Events moved rapidly for those days, and in August, four English men-of-war, carrying between 300 and 450 soldiers entered the harbor at New Amsterdam (New York). The Dutch surrendered readily.

A few days later, Carr was on his way to the Delaware River communities to gain their submission. Colonel Richard Nicholls, now Governor of New York, had given Sir Robert

specific directions to stipulate the following with regard to surrender: All munitions were to be turned over to the English, the residents were to be permitted to exercise liberty of conscience, their trade henceforth was to be carried on according to the regulations of the English Navigation Acts, all citizens were to be guaranteed protection of life and property, and the Swedish and Dutch magistrates were to remain at their posts for six months, provided they swore allegiance to Great Britain.

With these instructions, Carr and his two vessels appeared in the Delaware Bay. They sailed up stream to the Swedish settlements around Upland (Chester) with the purpose of obtaining their allegiance, so that there would be no possibility of the Swedes aiding the Dutch in resistance. The Swedes acquiesced at once. In the struggle that ensued at Upland (Chester), three Dutchmen were killed and ten wounded. The English then looted the town, destroyed much property, and sent the remaining Dutch soldiers to Virginia, where they were sold as servants.

Meanwhile, back at Manhattan a new government was being established by the English. It called for no popular representation. In the chief executive and his council were vested the highest powers. He controlled all branches of jurisdiction. The laws which he promulgated were called the "Duke's Laws." On the whole, the "Duke's Laws" were fairly adapted to the time and place. They provided for freedom of religion, trial by jury, and equal taxation. They were enforced along the Delaware by three "Courts." These courts sat at Horekill (Lewes), New Castle, and Upland (Chester).

In the year 1673, the colony of New York and its dependencies on the Delaware were re-captured by the Dutch. In exchange for oaths of loyalty to The Netherlands, the new masters promised the following privileges: free trade, freedom of conscience, security in the possession of homes and lands, and exemption from excise taxes on wines, beers, and distilled liquors. The latter privilege was granted in consideration for the expense the inhabitants would incur in erecting a fort.

Less than a year later, the entire area was restored to

the English by a treaty. In October, 1674, Major Edmond Andros arrived at New York and assumed the functions of government. He thereby took jurisdiction of what is now New York, New Jersey, Delaware, and Pennsylvania.

At the same time that Andros was arrogantly strutting about as a dictator, a very humble man was purchasing a large tract on the west side of Chester Creek in Upland (Chester). It was the same tract that had long been known as Printz Torp. The man's name was Robert Wade, the first Quaker to settle here. He purchased the land from Governor Printz's daughter and proceeded to erect a home, which he called the Essex House. For many years, the Essex House stood at the northwest corner of Second and Penn Streets in Chester. The house was a story and a half in height and its southeast gable fronted upon the Delaware River. The front of the house, with a commodious porch, extended the entire length of the building facing Chester Creek. The first recorded meeting of the Society of Friends in Pennsylvania was held here in 1675, when William Edmundson, an outstanding clergyman, then on a religious visit to America, was present.

There can be no guarantee of free religion without courts of justice, and English jurisprudence began on a permanent scale in Pennsylvania exactly one hundred years before the American Declaration of Independence. On September 25, 1676, Governor Andros established at Upland (Chester) a court of Quarter Sessions, which was to convene immediately.

The following record of a case of assault and battery is submitted as a fair specimen of the manner in which business was transacted in the earliest English courts along the Delaware: Justice Israel Helm was the plaintiff and Oele Oelsen was the defendant. Plaintiff Helm complained that at the plantation house of one Juns Justesse, he (Helm) was first insulted by the evil words of defendant Oelsen. Then he (Helm) was beaten and his shirt torn in pieces by defendant Oelsen. Helm recommended that the defendant be punished by the court. The court examined the entire matter and finally condemned Oelsen to a fine of 210 guilders, and "that Oele Oelsen do humbly ask forgiveness of Justice Israel Helm and the court for his said offense." The court and the sheriff con-

sidering that Mr. Oelsen was a poor man with many children, "Upon his humble submission did remit and forgive him . . . one hundred and fifty guilders fine." Mr. Oelsen had to pay the remaining fine of sixty guilders for the use of "the Poor or Church."

Criminal offences were usually punished by the imposition of fines because the lack of a jail precluded imprisonment. Corporal punishment by whipping was, in a few instances, resorted to by the Court at New Castle, but it forms no part of any sentence of the Court at Upland (Chester).

The courts handled all sorts of problems. Labor in those days was seldom obtained, as now, for wages. Even mechanics sold themselves or were sold for a specified time; their masters being responsible for their support. The change in the ownership of persons thus owing services required the approbation of the courts, as will be shown by the following extract from the Record of the Upland Court: "Mr. John Test brought into court a certain man servant named William Still, being a tailor by trade, whom he, the said Test, did acknowledge to have sold unto Captain Edmund Cantwell for the term of four years, beginning from the first of April last; the said William Still declared in Court to be willing to serve the said Captain Cantwell, the above designated term of four years."

Insanity was a matter for the early courts to consider. In 1678, an application was made to the court in Upland (Chester) by Isaac Conelisson of Amesland (Norwood) for the protection and maintenance of his son Erik, who was "bereft of his natural senses and is turned quite mad." The father pleaded poverty which would prevent him taking care of his son. The unfortunate offspring must have been too dangerous to be at large, for the court ordered "that three or four persons be hired to build a little blockhouse at Amesland (Norwood) for to put in the said madman, and at the next court, order will be taken for a small levy to be laid . . . to pay for the building of ye house." This building may well have been the first institution for the care of the mentally ill ever erected within the Commonwealth of Pennsylvania.

An even more significant case was heard in Upland (Chester) on November 12, 1678. It was not so much the fact that

William Orian sued John D'Haes for 167 guilders, but rather the importance here lies in the procedure used. This case saw the first jury ever to be empanelled in this state.

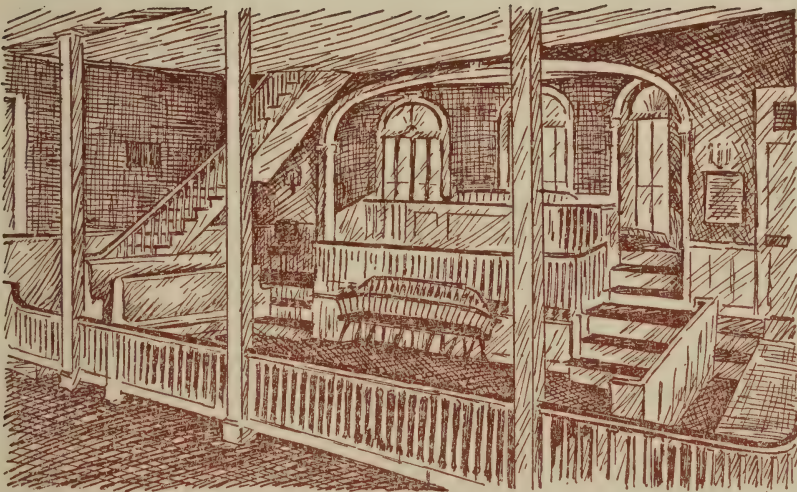
Transportation was also a court problem. There were as yet no roads in Pennsylvania. There were merely rough paths through the woods. Many of these paths were only ill-marked trails. In November, 1678, the Court "ordered that every person should within the space of two months as far as his land reaches, make good and passable ways from neighbor to neighbor, with bridges where it needs, to the end that neighbors on occasion may come together." This judicial edict was glaringly disregarded for years.

In October, 1680, the Court decided that it was necessary to appoint "overseers of highways and roads, and overseers and viewers of bridges." Six months later, John Champion was fined twenty-five guilders, on the complaint of the overseer of the roads, "for his not working upon ye highway when due warning was given him."

Even church matters were subject to judicial interpretation. On one occasion, it was brought before the Upland (Chester) Court that the fences around the church yards at Tinicum (Essington) and Wicaco (Philadelphia) were falling into disrepair and that other church properties were being neglected. "The court having taken the premises into consideration, do find it necessary to order, authorize and empower the respective members of the said churches at all times when it shall be found necessary to build, make good and keep in repair the said church yard fences, as also the church and other appurtenances thereof. And if any of the said members upon warning do prove neglective in the doing of their proportion to the same, each of them to forfeit fifty guilders for each neglect."

Despite the apparent efficiency of the court at Upland (Chester) some suggested that its location was too far south geographically. The record of June 1680 says: "In regard that Upland (Chester) Creek, where ye court hitherto has sat is at ye lower end of ye County, the Court therefore, for ye most care of ye people have thought fit for ye future to sit and meet at ye town of Kingsess (Philadelphia).

A new era had arrived. The hardships of the earliest beginnings were over. They had been, on the whole, negligible when compared with what the first settlers elsewhere in the eastern colonies of America had endured. There had been no destructive war, no deadly conflicts with the natives, no pestilence, no famines. The seventy years since Henry Hudson had looked inside the Cape's door had served to show that here without great cost in life and treasure, the homes of a new commonwealth might be prosperously established.



INTERIOR OF OLD COURT HOUSE



PUSEY HOUSE

WILLIAM PENN LANDS IN CHESTER

Having completed his arrangements in England, Penn sailed from Deal on August 30, 1682, on board the good ship *Welcome*. He was in company with about 100 passengers, mostly members of the Society of Friends, the major part of whom were from Sussex. Great distress was experienced during the passage, in consequence of the breaking out of small-pox, from which disease thirty of the emigrants died.

The vessel arrived at New Castle on October 27. On the next day, Penn, having produced his deeds from the Duke of York for the twelve miles surrounding New Castle and also for the country below, the possession of the grant was formally given to him by John Moll and Ephraim Harmon, who had been constituted attorneys for that purpose by his Royal Highness. Then a number of the inhabitants signed a pledge of their obedience to the new proprietor. On the same day, Penn commissioned justices for New Castle and constituted Markham his attorney to receive the possession of the territory below from the attorneys of the Duke of York.

It is known that William Penn stayed at New Castle all night and the next day the *Welcome* sailed up the Delaware River and cast anchor off the mouth of Chester Creek, opposite the house of Robert Wade. The manuscript book of Evan Oliver, a passenger on the *Welcome*, says: "We arrived at Upland in pensilvania in America, ye 28th day of ye . . . month '82."

The Swedes accepted the new English proprietor and his companions with friendliness. They transported his goods and furniture from the ship and entertained the Quakers in their homes. Penn resided temporarily at the dwelling of Robert Wade. That fact helped to make the "Essex House" famous in the annals of Pennsylvania.

That Penn originally intended to locate his proposed capital city at Chester can hardly be questioned. His instructions to his commissioners directed them "that the creeks should be sounded on my side of the Delaware River, especially Upland (Chester) in order to settle a great towne." There are three basic reasons why Penn eventually went to Philadelphia: (1) trouble with a Swedish landowner in Chester named Sande-

lands: (2.) a boundary dispute with Lord Baltimore who claimed Chester: (3.) better commercial facilities along the Schuylkill than along Chester Creek.

The last court for the County of Upland, embracing all the settled parts of Pennsylvania, was held at Chester on September 12, 1682. Dr. Smith in his *History of Delaware County* says that "The first Grand Jury that ever sat in Pennsylvania, of which there is record, was summoned to meet" that day. It was merely a petit jury, as we now understand the term, the word "grand" doubtless being used by the clerk without comprehending the meaning of that term, for the record shows that the jury passed upon the fact of a person's guilt, and did not present him to another jury to finally acquit or convict of the charge. The first grand jury in the annals of Pennsylvania was to sit in Chester in June, 1683.

During the Upland (Chester) Court Fall Session of 1682, William Penn divided the territory hitherto known as Upland into three counties—Chester, Philadelphia, Bucks. On November 18, William Penn issued his writs to the sheriffs of these three original counties of Pennsylvania, as well as the three lower counties (Delaware), requiring them in their respective bailiwicks, to summon all freeholders to meet on the twentieth of the month and elect "out of themselves," seven persons of most note "for wisdom, sobriety and integrity" to serve as their representatives in a General Assembly to be held at Upland (Chester) on December 4. In pursuance of this proclamation, the Assembly met at Chester on the day designated.

When did Upland become Chester? For many years, the myth prevailed that upon landing on the shore near the home of Robert Wade, William Penn turned to his friend Pearson who supposedly had accompanied him on the ship *Welcome* and said, "Providence has brought us here safe. Thou hast been the companion of my perils. What wilt thou that I should call this place?" Pearson is supposed to have replied "Chester" in honor of the city from whence he allegedly came. William Penn is supposed to have agreed that it would be henceforth known as "Chester." However, there is no evidence of such a conversation. There is no record of a "Pearson" on board the *Welcome*.

The name of the town was not changed for quite some time. Penn's letter home dated November 1 (1682) refers to the place as "Upland." His writ to the sheriffs of the lower counties (Delaware), convoking the first assembly, dated November 8, summons the delegates to meet at "Upland." But the certification of the laws, over the signature of Penn, as governor, on December 7, is "Given at Chester, alias Upland."

The most rational conclusion is that Penn, when he changed the name of the town, did so in deference to the desire of the English settlers who had "overrun" the place, the major part of whom had come from Chester in England.

On December 4, Penn was in Chester for the meeting of the General Assembly which had convened here. Much depended on this inaugural democratic gathering because in it would be found, not only the recently arrived Quakers, but also the old Dutch and Swedish settlers, now naturalized. What would they think of the Holy Experiment?

The crux, the determining sign, would be the election of the Speaker. Luckily, just at the critical moment of the vote, two of the old residents were absent, so that the Quakers carried their man by a majority of one, selecting Nicholas Moore, the President of the Free Society of Traders. It was a narrow squeak. But having gained the upper hand, the Quakers kept it for seventy-four years.

Among the laws passed were those forbidding gambling, stage-plays, cards, revels, bull-baitings, cock-fights, and gossiping. Such behavior was supposed to "excite the people to rudeness, cruelty, looseness, and irreligion." Therefore all such things were to be "respectively discouraged and severely punished."

This General Assembly became the ancestor of all later Pennsylvania legislative bodies. It promptly passed the Act of Union annexing the three lower counties (Delaware) and an Act of Settlement confirming with some alterations the Frame of Government. The Great Law passed at the time guaranteed religious toleration and humanitarianism which featured prisons as workhouses rather than places of cruel and unusual punishment.

Nature was also bountiful. There was no scarcity of food. The fisheries in the Delaware River provided liberally. Richard Townshend, then at Chester, wrote that he made a net "and caught great quantities of fish, which supplied ourselves and many others." Hunting was also profitable: "We could buy a deer for about two shillings, and a large turkey for about one shilling."

By the end of 1682, the "Holy Experiment" was well under way. Penn's avowed intention "to lay the foundation of a free colony for all mankind" was being carried out under happy auspices. His political ideals had found concrete expression in a body of laws which guaranteed civil liberty, religious freedom, and economic opportunity. The colony was a bold and unique attempt to put into actual practice Penn's principles of democracy, justice, and peace. The people shared fully in the government from the beginning.

There was no established church to bind the conscience of men and to inflict penalty for nonconformity to creed or dogma. No restrictions were placed upon immigration. Peace with all men was secured by brotherhood.

The Holy Experiment was launched in the wilderness and was to be tested in the hard crucible of experience. While these lofty ideals may have failed in complete realization, they nevertheless dominated the successful Quaker commonwealth of William Penn for three quarters of a century.

THE NATION'S LONGEST BOUNDARY DISPUTE

The boundary dispute between William Penn and Lord Baltimore was the most lengthy and embittered land controversy in American history. In fact, Pennsylvania, Delaware, and Maryland did not settle their differences finally until 1934, when the Supreme Court, in the case of New Jersey versus Delaware confirmed William Penn's original title. Had Lord Baltimore's full claim prevailed, a strip of land about twenty miles wide along the entire southern line of Pennsylvania, including Philadelphia, Chester, West Chester, York, and Gettysburg, would be part of Maryland today. And if this strip had been lost to Pennsylvania, the impact of the Civil War and of other great events in our nation's history might have been vastly different.

There were two specific causes of difference between William Penn and Lord Baltimore. The first of these differences related to the proprietorship of the colony of Delaware. The second related to the location of the boundary between Pennsylvania and Maryland. Both of these differences grew primarily out of the obscure wording of Lord Baltimore's grant, and its obscurity arose from the imperfect geographical knowledge of America, in England, in 1632, when his grant was made.

Lord Baltimore's charter said, "between that boundary on the south unto that part of the bay of Delaware on the north which lieth under the fortieth degree of latitude . . ." This description is a limited one. It does not extend Maryland to the fortieth parallel unqualifiedly, but only to a "part" of Delaware Bay lying "under the fortieth degree." This was always to be exasperatingly vague. For no part of Delaware Bay is touched by the fortieth parallel.

Another source of contention was also seen in the language of Lord Baltimore's charter, which in the preamble specified the land granted to him as "*hactenus inculta*," which means "hitherto unsettled or uncultivated." In other words, he was to have all of Delaware, if there were no white Christians living there in 1632. Unfortunately for him, there had been a settlement by the Dutch the year previous, within the limits of

his grant. This was the colony of Swanendael near the present town of Lewes.

In 1664, the Duke of York conquered Delaware for England, and within twenty years he gave it to William Penn. Meanwhile, after many years of endeavor on behalf of the Quakers, William Penn was granted what is now Pennsylvania by his good friend, King Charles II, in the charter of March 4, 1681. The Charter states: "Do give and grant unto the said William Penn, his heirs and assigns all that tract or part of land in America, with all the islands therein contained, as the same is bounded on the east by Delaware River, from twelve miles distance, northward of New Castle town unto the three and fortieth degree of northern latitude. . . ."

These charter limits were evidently regarded by both parties, at the time, as clearing the bounds of Lord Baltimore's province. All officials concerned seemed to think so. Even Lord Baltimore's agents in England agreed on this point. But William Penn had barely secured his charter before it was questioned by Lord Baltimore. However, the orders received from the king by both proprietors to the effect that they should immediately take steps to define the boundary between their colonies were faithfully observed, at least in so far as the inception of conferences leading toward the desired end.

William Penn at once issued instructions to his kinsman and representative in America, William Markham, who was serving as governor in what is now Chester, Pennsylvania. Markham was given a letter of introduction to Lord Baltimore. He thereupon paid him a visit at his Patuxent (Annapolis) home in August, 1681. While there, Markham was taken ill and for three weeks he was unable to work. His illness forbade any satisfactory discussion of the subject at hand, so that upon his departure, Markham agreed to meet Lord Baltimore at New Castle on the 16th of October following. In the meantime, he was to obtain from a Colonel Morris in New York a satisfactory instrument for determining the exact latitude of the area.

On September 25th, Markham informed Lord Baltimore that he had been delayed on account of his journey up the Chesapeake Bay, and he asked for a postponement of their

conference until the 26th of October. A few days later, he sent word to Lord Baltimore that his illness would still further delay their joint work. On October 10th, meanwhile, Lord Baltimore had written to Markham expressing a fear that the work could not be done that year. There seems to have been a little misunderstanding due doubtless to the length of time taken for the transmission of letters from the two settlements. There was, apparently, a growing suspicion on both sides that the other contestant desired delay.

The feeling of resentment was also more fully aroused by the unwarranted presumption on the part of William Penn when he wrote, on September 16th, to several of Lord Baltimore's most influential citizens in Cecil and Baltimore Counties (in Maryland), assuring them that they were residents of Pennsylvania, and that they should not pay rents to Lord Baltimore.

As the year 1682 approached, the effects of Penn's letter were difficult to overcome. Yet on March 17th, William Markham wrote to Lord Baltimore suggesting another meeting. This letter was not answered until May 14th, and the answer was not received by Markham until eight days later. Such delay seemed inexcusable to Markham, and still further increased his feeling of ill-will toward his southern neighbor. Yet, there were good reasons why his letter had not been readily answered. Lord Baltimore's hands had been full of domestic affairs at home. The Maryland Assembly had been in session, there had been rumors of an armed attack by 300 to 500 men from Virginia, while the Marylanders along the northern border had been aroused to a state of insurrection by William Penn's ill-timed letter.

On the other hand, the arrival of Lord Baltimore's letter recommending June 10th, and Augustine Herrman's plantation at Bohemia Manor as the time and place of the next conference, were equally inopportune for Markham, who was negotiating with the Indians, contemplating a trip to New York, and the procuring of an adequate instrument before having another meeting.

Meanwhile, Lord Baltimore, unable to leave his capital because of previous business, sent a committee consisting of

John Arnold and others to Augustine Herrman's plantation at Bohemia Manor, where they expected to see Markham and his men. Markham was in New York, and the letters which should have reached him one by one, were received by him all at the same time. He immediately procured Colonel Morris' sextant and shipped it by water to New Castle, while he set out by land.

At the same time, the Maryland delegation became bored at Augustine Herrman's plantation in Bohemia Manor, and decided to go to New Castle. When they arrived there, they learned that Colonel Morris' sextant had come down from New York on a Dutch ship. They immediately persuaded the Dutch captain to allow them to use the instrument to determine the latitude of New Castle. This was done on June 27, 1682, and they found the latitude to be $39^{\circ}40'$. After they had obtained the information, they left town. This was unfortunate. For when Markham arrived in New Castle on the evening of their departure, he was naturally very angry at their behavior. He sent a Mr. Haige to Augustine Herrman's plantation at Bohemia Manor in an unsuccessful attempt to overtake the Maryland committee members.

A month later, Lord Baltimore, hearing that Markham had set out for Burlington, New Jersey, upon receiving a letter from him, left New Castle and went to Upland (Chester). At ten o'clock the same night, Markham arrived back home, and was surprised to find Lord Baltimore and his men at the home of Robert Wade (across from present Penn Steel Co. in Chester). The next day, the Morris instrument which had been brought to Upland (Chester) from New Castle, was set up and an observation of latitude was taken.

According to Markham, the instrument was assembled by Lord Baltimore's men and the observations were made entirely by them, and the results obtained showed Upland (Chester) to be at $39^{\circ}45'$ north latitude. Lord Baltimore's statement, on the other hand, says that the instrument was put together by Richard Noble, a Quaker, and that the observations were taken not only by Baltimore's men, but by Noble, and that they all agreed that the latitude was $39^{\circ}47'5''$. (The latitude of Chester is actually $39^{\circ}51'$.)

Both parties seem to have agreed that Upland (Chester) was south of the 40th parallel. But when Lord Baltimore asked Markham's permission to go up the Delaware River to where the 40th Parallel crossed the river, Markham refused on the grounds that everything along the Delaware River from twelve miles north of New Castle to the 43rd degree had been granted to Penn. Furthermore, Markham stated that, as a loyal representative of his proprietor, he could not allow any other claim to the territory. He added that if the patents overlapped, the question must be referred to the king.

At Lord Baltimore's request, Markham put his refusal in writing. During the discussion, feeling ran high, and the repeated assertions of the contestants aggravated mutual suspicions. Lord Baltimore claimed that the territory on which they stood was his, and that before long he would return and reassert his rights.

In September, 1682, Lord Baltimore came again to Upland (Chester) with an imposing retinue. They again resided at the home of Robert Wade. The next day was the Sabbath and Markham expected to observe its sacred heritage; but the Marylanders insisted upon making the observation, regardless of the day. Lord Baltimore could get no satisfaction from Markham and he journeyed southward. At Marcus Hook, he went from house to house, encouraging the inhabitants to pay no more rents and taxes to William Penn "because their lands belonged to Maryland." Although Markham had agreed to meet Lord Baltimore at New Castle the following day, the excitement caused by Lord Baltimore's remarks was deemed sufficient by him and his councillors to warrant the breaking of his agreement.

On December 11, 1682, William Penn, himself, visited Maryland; and two days later, he began a conference with Lord Baltimore at Colonel Tailler's house in Ann Arundel County. At that time, Penn presented a letter from the king. Lord Baltimore throughout clung unwaveringly to the strict letter of his fifty year charter granting to him an imaginary fortieth degree, while Penn strove to bring the whole matter down to an imaginary land mark and measurements

on the earth. When the two sides seemed to have reached an impasse, Penn made several offers of compromise, one being to purchase from Lord Baltimore sufficient territory for a seaport at the head of Chesapeake Bay. The latter again refused, and the conference came to no practical result except to add to the recrimination that so long dogged the controversy.

Five months later, Lord Baltimore showed where he stood when he issued an order on May 15, 1683, directing his sheriffs to compel all his settlers to pay for their lands; but his "Delaware inhabitants" were merely to pay half the amount required in the undisputed Maryland counties. This was to encourage migration from Maryland to Delaware and loyalty to him.

About a week later, three Maryland gentlemen came riding north to say that Lord Baltimore expected to arrive presently at the head of Chesapeake Bay. William Penn was then engaged in treaty making with the Indians, but he left as soon as possible, and met Lord Baltimore "ten miles from New Castle." He invited him to return with him to New Castle and there "entertained him as well as the town could afford, on so little notice." On May 29, 1683, Lord Baltimore asked Penn what proposal he had to make. Penn frankly acknowledged that he hoped by insisting on a measurement that he would gain six or seven miles; and by that means, he might get to the waters at the head of Chesapeake Bay. Again recognizing that Lord Baltimore was prepared to stand firmly in his original position, Penn offered to purchase enough land to get an outlet to the sea. Upon culmination of such an agreement, Penn would be willing to proceed with Lord Baltimore to the determination of the 40th degree.

Both contestants, after their conference at New Castle, realized that the subject in dispute could not be settled by them, since it involved a question of the rights conveyed by their letters patent. The reference of the matter to the king and his privy council was dreaded by Lord Baltimore, who had spent the last twenty years in America, with the single exception of a visit to England in 1675. William Penn, on the other hand, welcomed such a step because he was a good

friend of the royal family. Moreover, the king at the moment was much displeased with Lord Baltimore because of his attitude in hindering the collection of British rents in Maryland.

Both Lord Baltimore and William Penn went back to England in 1684. A year later, the Royal Committee, in their presence, proposed "that the whole Peninsula or tract of land called Delaware" be divided into two equal parts. Lord Baltimore was given a week to offer any objections to this proposal. On November 13, 1685, the king approved of the findings that Lord Baltimore's patent regarding Delaware was for "*hac-tenus inculta*," which means unsettled or uncultivated land; and that since the land in dispute had been inhabited by white Christians (the Dutch) before the date of his patent, that he had no right to it. On the other hand, Penn's claim was based on a gift from the Duke of York, who had conquered it in 1664.

An English Court decision in 1750 ordered an agreement fulfilled by running the boundary between Pennsylvania and Maryland. The latter again demurred until 1760 when it finally agreed to have the boundary run. The New Castle circle was then redrawn by David Rittenhouse, the noted Philadelphian, but the work of outlining the boundary was done so slowly as to lead the Penns to call upon two English surveyors to finish the work. These surveyors were Charles Mason and Jeremiah Dixon.

These two Englishmen—Mason and Dixon—thereby won a lasting place in American history and geography for the running of the line in 1767 which bears their name. This line was ratified two years later as $39^{\circ}44'$. It was to become not only the boundary between Pennsylvania and Maryland; but the everlasting division between the North and the South in the United States of America.

THE GOOD LIFE HERE 250 YEARS AGO

Soon after William Penn first landed in Chester (1682) there were scores of letters written by his followers describing the many blessings to be enjoyed in this vicinity.

Thomas Paschall wrote, "I have bought good beef, pork and mutten at two pence per pound and some cheaper, also turkeys and wild geese at the value of two or three pounds of shot apiece, and ducks at one pound of shot, or like value, and in great plenty; here is a great store of poultry. I have venison of the Indians very cheap . . . Here are gardens with all sorts of herbs . . . Turnips, parsnips and cabbages, beyond compare."

Thomas Parker wrote, "There are Swedes and Finns who have lived here forty years, and lived an easy life through the abundance of commodities."

The Rev. Eric Biork, Swedish missionary, wrote of our area, "The country is very rich and fruitful, and we send out yearly to our neighbors on this continent and the neighboring islands, bread, grain, flour, and oil. We have here, thank God, all kinds of venison, birds, and fishes." On another occasion, he wrote, "there are no poor in the country, but all provide for themselves, without any cases of want."

The people were not only blessed with abundant natural resources but they were inspired with able leadership. Unfortunately, William Penn had to return to England in 1684. Having established a Provincial Court, a Commission for the Sale and Transfer of Lands, and having also conferred the executive power of the province upon the Council, with Thomas Lloyd as its president, Governor Penn sailed for England on August 12, very much to the regret of many of the inhabitants.

On November 30, 1699, William Penn returned to Chester. He spent the night with his friend, Thomas Story, who had left England the year before, and who was to play a prominent part in the future of Pennsylvania. For the next two years, Penn was to stay in his new home at Pennsbury Manor, where he was to supervise the Commonwealth, which he had founded.

On October 13, 1701, he granted a charter to Chester as a borough, with the privilege of a market town. In defining

the limits of the municipality, he said, "It shall ever hereafter be called Chester."

Within a fortnight, William Penn sailed for England. He was never again to return to the Commonwealth which he had founded.



THE ENGLISH INFLUENCE IN CHESTER BEFORE 1700

Gabriel Thomas in his "History of Pennsylvania," written in 1698, in describing our Community at that time, presents an exhaustive list of the wild game and fruit which abounded here. He speaks in glowing terms of the plentiful harvest which rewarded the farmer for his toil. Thomas Cheyney of Thornbury in the same decade in describing the laborious manner of life at that time states that "everyone that is able to do anything are as busy as nailers. I know many men that are worth thousands of pounds that will mow, make hay, reap, and draw . . . grain into their barns as steady as hirelings, and those that are able, if they do not work, are looked upon with . . . contempt."

Such favorable publicity brought an influx of settlers. So large was the demand for housing that newcomers were compelled in many instances to dig caves in the ground, near the river bank, where they lived until they could build permanent homes.

A successful community, however, demands more than a good name and good public relations. There must be liberty for all. English policy on the Delaware had attempted to accomplish that objective from the beginning. Sir Robert Carr, the English conquerer of the area, in 1664, was given instructions to allow planters to retain their property unmolested. He was also to permit freedom of conscience and to protect all settlers from violence.

Justice also implies good legal administration in a free country. The first English petit jury in Pennsylvania was summoned to meet in Chester on September 12, 1682. And on March 10, 1683, by law, enacted here, it was provided that a grand inquest should be made in every county court. Presentments were to be brought in twice a year. Frequently, thereafter, prisoners were granted bail privileges to give them opportunity for "proper defense."

By further provision of the act of March 10, 1683, the justices of each county court were directed to sit twice in every year "to . . . take care of the estates, usage and employment of orphans, which shall be called the Orphans'

Court." It was to be held the "first third day of the week in the first and eighth months" annually. The reason for this law was "that care may be taken of those that are not able to take care of themselves." The first genuine Orphans' Court, however, did not meet until October 3, 1687, when it convened in Chester.

A remarkable jury was summoned here on June 27, 1689, which for nearly two hundred years was the only instance of its kind on record in the United States until 1878, when a similar jury was impaneled at Cheyenne in Wyoming Territory. It was the first all-woman jury in the United States.

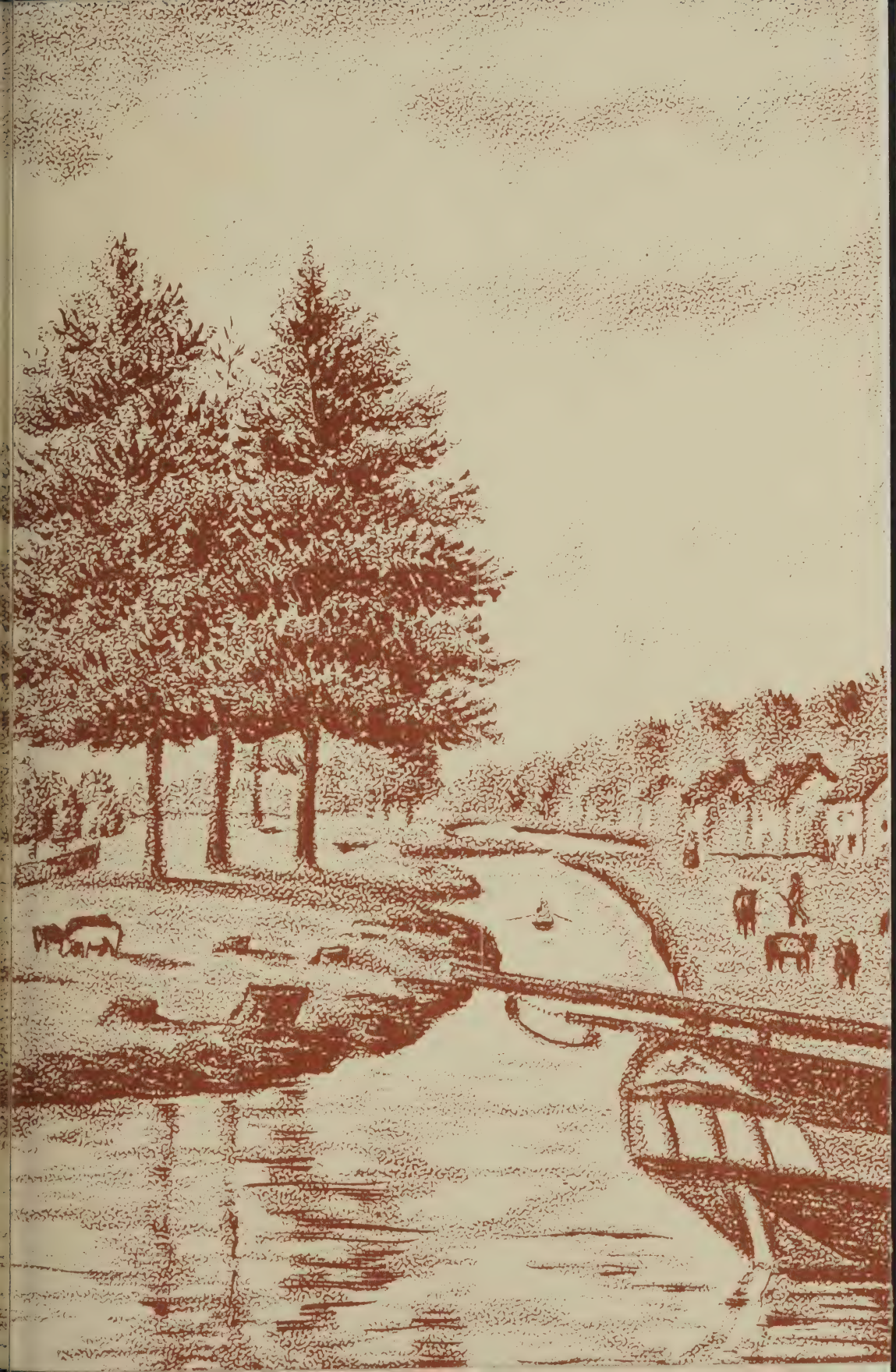
While our courts before 1700 did not hesitate to sentence a free man to be sold into servitude for a period of years in order to liquidate a debt, they were extremely vigilant in guarding servants against oppression by their masters. Upon the complaint of one bondsman that he had served his time and had been discharged "without clothes fitting for a servant to have," the court ordered his master to "pay him a hat, coat, waistcoat, breeches, drawers, stockings and shoes, all new, and also ten bushels of wheat or fourteen bushels of corn, two hoes and one axe."

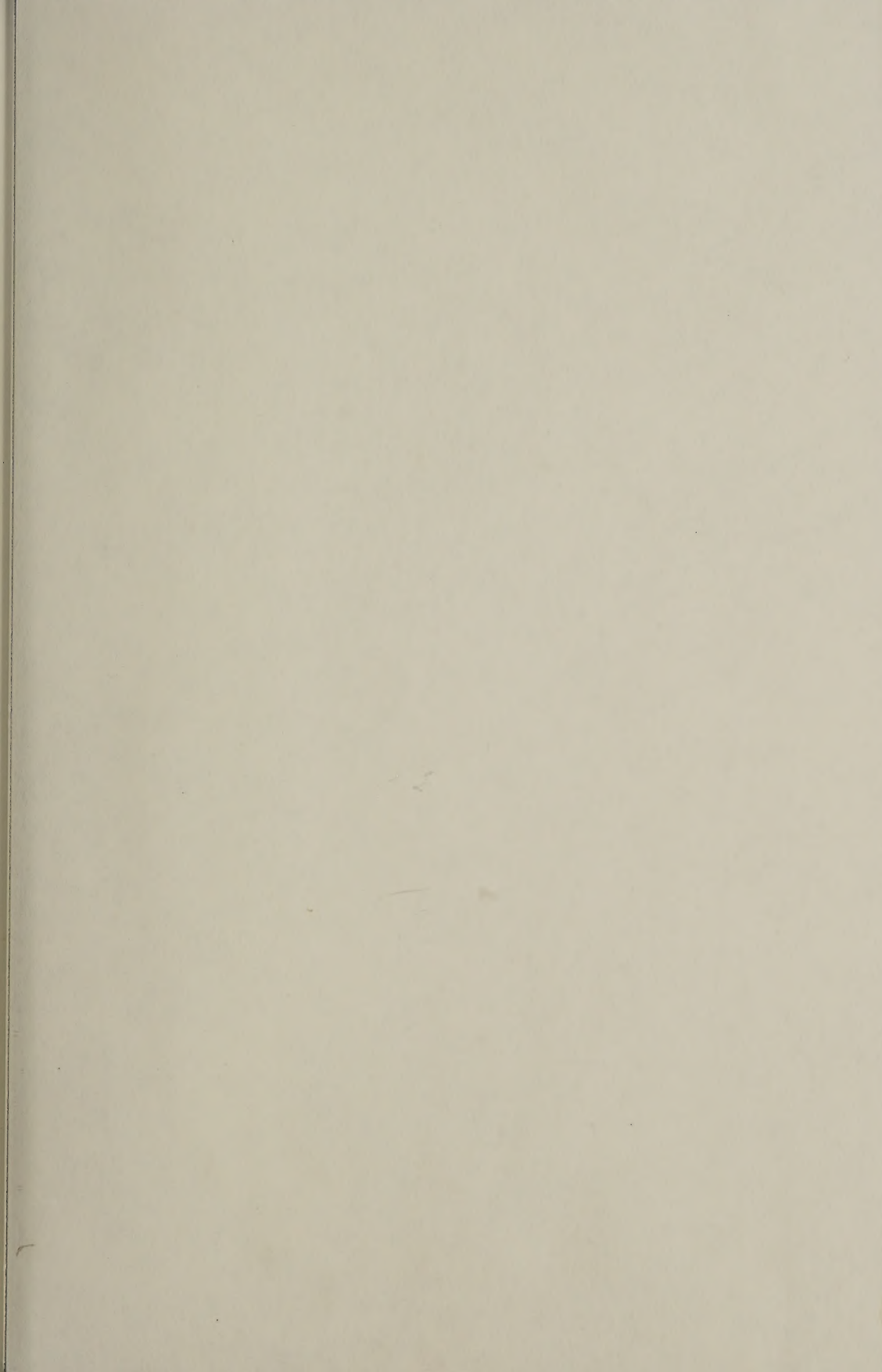
Despite legal justice, no state can guarantee democracy without inspired leadership from the chief executive. William Penn was a strong devotee of self-government. In 1681 he wrote to his assistant in the New World that the inhabitants of Pennsylvania "shall be governed by laws of their own making," that he would not usurp the rights of anyone, and that he would comply with "whatever sober and free men could reasonably desire for the security and improvement of their own happiness."

On November 18, 1682, three weeks after his arrival, William Penn issued writs to the sheriffs requiring them to summon all freeholders to meet two days later and to elect seven persons of "most note for wisdom, sobriety and integrity" to serve as their representatives in General Assembly, to be held "at Upland (Chester) in Pennsylvania, December 4, next." In pursuance of this proclamation, the Assembly met at Chester on the day designated. This was the first General Assembly ever to meet in the Commonwealth of Pennsylvania.

Therefore, the English influence in Chester before 1700 was tremendous. They gave us our name, our instruments of justice, our dream of democracy and Quaker common sense. But the greatest factor in our well-being during the seventeenth century could well serve as our inspiration today. It is found in the words of Robert Wade, Friend, when he wrote to his wife in 1675, "in this place, the Lord is making way to exalt his name and truth."









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